

Prospects for the development of social partnership system

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Resume

The article discusses the issues of social partnership between the state and organizations by mentioning the goals and objectives in the labour market. Moreover, it also considers the types of support of social partnership by the government, structures the legal basis of social partnership, states the government's tasks to create new jobs, maintaining and developing the quality of employees.

Social partnerships are closely linked to the concepts of evolutionary development of modern societies and civil society. Paying close attention to the relationship between these two theories will help coordinate the development of social processes, based on the relevant principles.

In historical sources, the term "social partnership" was understood as the institutional relationships between employers - entrepreneurs, owners, and hired workers - through partnerships between them¹.

This concept was formed as a result of the peaceful movements of the ideals of the late 19th and early 20th centuries, of workers and employers.

Today, significant changes have been made to the concept of social partnership. In the postindustrial society, the concept of civil society has replaced the theory of difference between classes. At the same time, not only workers and employers, but also members of a number of other community members, are the main classes of society. Among them there are members of the society, including intellectuals, housewives, health care workers, state-funded education, healthcare professionals, and other non-government non-profit organizations associated with social partnership and partnerships.

The complexity of the society and the complexity of its relationships also complicate the concept of social partnership, not just expanding partnerships, but

¹ Mirzakarimova M., Xaydarov M. SOCIAL PARTNERSHIP AND EFFECTIVE EMPLOYMENT. T.: CENTER OF INNOVATIVE TECHNOLOGIES. 2014. P-12.

also its sharp institutional developments, regulatory and legal support, coordination, the rise of non-governmental organizations, community members' self-awareness and interests.

Today, "social partnership" means the system of mechanisms and institutions for co-ordinating the interests of workers and employers who are involved in the production process, among individual entrepreneurs, nongovernmental nonprofit organizations, budget organizations, government agencies, political movements, trade unions and other organizations and institutions. a comprehensive partnership.

Social partnership is a mutually beneficial triangle of state structures, business entities and public associations. The more their cooperation is, the more society becomes. Civil society sets public control, offers people the ultimate solution to national values, socialization, and upbringing².

The state of the social partnership system in the country is determined by its social orientation, the level of social status. The state's social orientation was first publicly construed in Germany in 1949. According to this nature, the state implies that the state will endeavor to serve the society and eliminate groundless social distinctions or minimize them³.

The types of government support for social partnership include:

proprietary, information, advisory, organizational, and methodological support to non-profit non-profit organizations and other civil society institutions;

granting privileges to legal entities and individuals providing material assistance to nongovernmental nonprofit organizations and other civil society institutions in accordance with legislation on payment of taxes and other mandatory payments;

grants of state subsidies, grants and social orders to non-government non-profit organizations and other civil society institutions, and financing socially significant projects.

There are also opinions that employers and employees are essentially social partners. Therefore, the regulation of social-labor relations is regulated by the state's interference without any interference with the state, that is, the freedom of

² Ismailov A.R. The Importance of Social Partnership in Employment Management. // J. "Economics and Finance" magazine. №12. Tashkent, 2013 year. – 31-p.

³ Saxarov G. V.. Politology. Intensive training course. Part 1, study guide for students 2008.

contract between the participants of the relationship. Only in case of emergencies or in emergencies, the state can assist them in the role of a senior referee.

However, excessive interference of the state with social relations must be taken with caution. Historical experiences and international practice show that the state's support for social-labor relations, as well as the administrative warfare, are the most damaging.

The government's interference in labor relations (eg discrimination of trade unions, prohibition of legal employment, etc.) can be negatively treated, but on the other hand, it is important to recognize that the state's role as a necessary participant in achieving social concord is important.

The role of the state in social partnership is not limited to the role of general economic and regulatory functions. The state has three roles in social partnership: proprietor, legislator, and arbitrator. The historic state has become and remains the largest owner, employer.

In the social partnership, the role of the state as a facilitator should ensure that social partners undertake functions to consolidate their legal frameworks and create conditions for the development of such arrangements and ensure that they are implemented in strict compliance. The basis of the model of social partnership in Uzbekistan is laid down in a number of laws and regulations. Particularly, it is being implemented in the process of community-based relations today.

In the framework of organizational support of social partnership in Uzbekistan, it is necessary to solve the following coordination tasks:

- to conclude the General Agreement with industry and regional agreements;
- Identify a list of issues that are resolved by the government and without its participation;
- coordination of tripartite commission work. This is the most important function of the state⁴.

General issues of social-labor relations and socio-economic policies are identified and coordinated at the country level and identified at the national and regional

⁴ The Law of the Republic of Uzbekistan "On Social Partnership" Ўзбекистон //Collection of legislation of the Republic of Uzbekistan, 2014 y., number 39, Article 488

levels with all the Contracting Parties - government, employers and staff⁵. Specific employment issues, local socio-economic issues can be resolved by the representatives of employees and employers without the government's involvement, as these decisions are, in essence, the implementation of the socio-economic policy set out in the general agreement.

The role of the state in social partnerships is to develop labor and social legislation. At present, the legal basis of social partnership is developing in the country. In particular, various issues related to the interaction of public authorities with non-governmental non-profit organizations and other institutions of civil society are enshrined in 30 laws and other normative-legal acts of the country. They are primarily the laws of the Republic of Uzbekistan, "On Social Partnerships", "On Public Associations in the Republic of Uzbekistan", "On Non-Governmental Non-Profit Organizations", "On Public Funds", "On Sponsorships" and "On Non-Governmental Non-profit Organizations Guarantees" appropriate public authorities may, within their jurisdiction, support various types of non-profit organizations.

It is important to systematically implement the principles of international law in the field of social partnership and to ratify the International Labor Organization conventions, which relate to it and, above all, to the privileged conditions for employees and employers in comparison with the current legislation. International Labor Organization conventions ratified by the Republic of Uzbekistan in the field of social partnership include:

- 98 convention on the application of the principle of the right to organize and conduct public negotiations (ratified by the Decree of the Oliy Majlis of the Republic of Uzbekistan on August 30, 1997);
- 122 Convention on Employment Policy (The Republic of Uzbekistan has acceded to this convention in accordance with the Decree of the Oliy Majlis of the Republic of Uzbekistan of May 6, 1995);
- 135th Convention on the Representation of Workers (ratified by the Oliy Majlis of the Republic of Uzbekistan on August 30, 1997);

⁵ Potemkin V.K., Kazakov D.N. Social partnership: formation, evaluation, regulation. - СПб.: PAEH, 2002. – p 201.

- 154th convention on collective bargaining (ratified by the Oliy Majlis of the Republic of Uzbekistan on 30th August 1997)⁶.

The state's functions as employer must clearly distinguish it from the arbitration and mediation functions in the social partnership. Until the state is a holder and a businessman, he will remain a bad judge. Therefore, the interference of the state in the relationship between the owner and the employee can occur only in cases where one or more aspects of labor relations violate the labor legislation, where the consensus reached by both parties can not compromise, only in the event of a loss of public interest.

The parties to the social partnership that are involved in the dispute are, in principle, the preferred state intervention for a number of reasons, namely:

- public institutions have material resources of vital importance in the lives of people, and their targeted use may continue to have a serious impact, such as serious disability or interruption.
- public authorities have legal capacity to take measures of economic sanctions and administrative measures;
- The government centralizes most of the information at its disposal. It is more objective and better aware of the situation that is the cause of the social conflict and can more effectively utilize this information, while encouraging the conflicting parties to address issues that are troubling them, as well as the mass media largely belong to the state;
- Undoubtedly, the government's non-interest arbitration capacities rely on strong traditions of legitimate government, tradition of citizen subordination and obedience.

The Cabinet of Ministers of the Republic of Uzbekistan, the Council of Trade Unions Federation of the Republic of Uzbekistan, the Chamber of Commerce and Industry of the Republic of Uzbekistan recognizes the social responsibility of the state, employers and employees, Implementing the principle of social partnership for the establishment of partnerships, the general principles of co-operative policy on socio-economic issues The plot of the Cabinet of Ministers, the Council of

⁶ The main conventions and recommendations of the International Labor Organization. / Editor in Chief of the Uzbek edition A.X.Saidov. – T.:National Human Rights Center of the Republic of Uzbekistan, 2008. — 240 p.

Federation of Trade Unions, Chamber of Commerce and Industry of socio-economic issues had entered into an agreement for the years 2014-2016⁷.

Research has shown that most of the functions belonging to trade unions and employers have been preserved by the state. Accordingly, the social partnership system is less practical, its mechanisms are poor.

According to the world experience, social partnership demonstrates its justification in the areas where the three parties fulfill each other exactly. It is impossible to achieve positive results unless one of the parties manages to communicate, to cooperate.

The state also plays a coordinating role in the development and implementation of regional agreements. According to Article 50 of the Labor Code of the Republic of Uzbekistan: "Territorial agreements are also concluded between relevant trade unions (employees' representative bodies) and employers (their associations), and, at the suggestion of the parties, by local executive authorities.

Territorial agreements define the conditions for addressing specific socio-economic issues related to the properties of the territories"⁸. In Uzbekistan, the diversity of economic potential and the wide range of prices can lead to problems in the field of contractual regulation of labor issues at the regional level. However, such arrangements may provide for a general order of remuneration, coherent unemployment rate, special measures to implement public employment policies, and specific training and retraining efforts.

In the process of reforms being undertaken at the new stage of the development of Uzbekistan, our state is on the way to a serious and important stage of its development - a regulator and coordinating role of monopoly proprietor, and a partner of social and labor relations. The role of the state and its affiliated structures has changed dramatically in the newly formed regulatory system of labor relations. They deal mainly with minimal guarantees such as minimal social standards of the state, minimum wage, maximum duration of the working day, prevention of mass unemployment, and labor safety safeguards.

⁷General Agreement on Socioeconomic Issues for 2014-2016 between the Cabinet of Ministers of the Republic of Uzbekistan, Council of Trade Unions Federation of Uzbekistan, Chamber of Commerce and Industry of Uzbekistan. // <https://kasaba.uz>.

⁸Labor Code of the Republic of Uzbekistan // Newsletter of the Oliy Majlis of the Republic of, 1996 y., Appendix to 1st.

In the conditions of the market economy and the formation of civil society, the state of the state is manifested in ensuring the observance of the individual freedoms of each citizen and the responsibility for the social protection of individual social groups.

The state, which assumes responsibility for the development of entrepreneurship, should provide all possible assistance to the state through providing guarantees for lending, encouraging foreign trade activities, developing financial infrastructure and providing entrepreneurs with benefits. The State's concern for the support and development of entrepreneurship is simultaneously one of the most important components of the economic system's guarantee and social functioning.

In the social partnership system,

First, ensure that the results of negotiations at all levels meet the goals of the implemented socio-economic policy;

Second, it tries to eliminate shortcomings in the activities of social partnership institutions.

Improvement of organizational forms of social partnership is based on conducting consultations with employees, employers and entrepreneurs. At the same time, the role of tripartite commissions on the regulation of social-labor relations is immeasurable.

In our opinion, it is recommended that the state ensure that the labor market is functioning more efficiently and that it increases its employability with social partners (trade unions, employers) and is committed to creating new jobs, maintaining and developing human resources. :

- to pay special attention to the creation of permanent jobs that provide sustainable wages and safe working conditions;

- Ensuring that the overall unemployment rate calculated by the International Labor Organization does not exceed 5 per cent of the economically active population, improving the system of vocational training and retraining of unemployed citizens, and enhancing their involvement in paid public works;

- establishment of public monitoring and public monitoring of creation of new workplaces by social partners;



- control over observance of the minimum number of employees in the retail trade, catering and construction organizations, and the minimum wage fund, and the development and implementation of similar requirements for other small businesses and farms;

- establishing direct dialogue between business and non-government non-profit organizations with state-owned companies and other civil society institutions. At the same time, the independence of social partners indicates that they are independent, responsible, and mature. The state will act as an impartial and principal partner.

From the above, social partnerships seem to be in the interest of all social groups and state objects, because social stability, development and socio-economic development of the society are the basis for achieving a high level of civil society formation.